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9 Attorneys for Defendant AMBU INC.

10 UNITED STATES DISTRICT COURT  
 11 SOUTHERN DISTRICT OF CALIFORNIA

12 THE LARYNGEAL MASK COMPANY ) Case No.: 07cv1988 DMS (NLS)  
 13 LTD. and LMA NORTH AMERICA, INC., )

14 Plaintiffs, )

15 v. )

16 AMBU A/S, AMBU INC., AMBU LTD., )  
 17 and AMBU SDN. BHD., )

18 Defendants. )

19 **JOINT MOTION FOR ENLARGEMENT OF**  
 20 **TIME TO RESPOND TO FIRST AMENDED**  
 21 **COMPLAINT**

22 JUDGE: Hon. Dana M. Sabraw  
 23 Courtroom : 10

24 Plaintiffs and defendant, AMBU, INC. through counsel, jointly move for a thirty day enlargement  
 25 of time for defendant, AMBU, INC. to answer or otherwise respond to the First Amended Complaint.  
 26 The reason for this enlargement is that AMBU, INC. requests more time to prepare its response.

27 The Complaint in this action was filed on October 15, 2007 [Docket no. 1]. A First Amended  
 28 Complaint was filed on October 17, 2007 [Docket no. 4]. The First Amended Complaint was served  
 on AMBU, INC. on October 18, 2007 [Docket no. 6]. The response is due on or before November 7,  
 2007. Id.

On October 29, 2007, the Plaintiffs filed a motion for an order requesting the Clerk of the Court  
 to effect foreign service by mail pursuant to Federal Rule of Civil Procedure 4(f)(2)(C)(ii) and 4(h)(2)  
 on defendant AMBU SDN. BHD. Plaintiffs represent they are in the process of serving the other  
 defendants.

1 Counsel stipulated that the defendant AMBU, INC., may have an additional 30 days to answer  
2 or otherwise respond to the First Amended Complaint, so it may have more time to prepare its response.  
3 Defendant AMBU, INC., acknowledges and agrees that, by stipulating to this Joint Motion for  
4 Enlargement of Time, Plaintiffs are not waiving or in any diminishing any rights they may have to move  
5 to disqualify the firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP and/or the firm of  
6 Wright & L'Estrange. By stipulating to this Joint Motion AMBU, INC. does not concede there is any  
7 basis to disqualify its counsel.

8 Pursuant to the parties' agreement, the answer or other response by defendant AMBU, INC.  
9 would be due on or before December 7, 2007. For the reasons stated, the parties respectfully request that  
10 the Court grant this joint motion for enlargement of time to answer or otherwise respond to the First  
11 Amended Complaint.

12 A proposed Order is submitted herewith.

13 WRIGHT & L'ESTRANGE  
14 Attorneys for Defendant AMBU, INC.

15 DATED: November 5, 2007

16 By: s/John H. L'Estrange, Jr.  
E-mail: jlestrange@wllawsd.com

17  
18 KNOBBE, MARTENS, OLSON & BEAR, LLP  
19 Attorneys for Plaintiffs

20 DATED: November 5, 2007

21 By: s/Frederick S. Berretta  
E-mail: fberretta@kmob.com  
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**CERTIFICATE OF SERVICE**

The Laryngeal Mask Company v. AMBU A/S, et al.  
U.S. District Court, Southern District, Case No.07cv1988 DMS (NLS)

I, the undersigned, declare under penalty of perjury that I am over the age of eighteen years and not a party to this action; my business address is 401 West A Street, Suite 2250, San Diego, California 92101; and that I served the below-named persons the following documents:

**JOINT MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO FIRST  
AMENDED COMPLAINT**

in the following manner:

1. \_\_\_\_\_ By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge.

2. \_\_\_\_\_ By placing a copy in a separate envelope, with postage fully prepaid, for only \_\_\_\_\_ persons as indicated below and depositing each in the U.S. Mail at San Diego, California, on the date of this declaration.

3. \_\_\_\_\_ By placing a copy in a separate Federal Express envelope, addressed to the addressee(s) named below. I am readily familiar with the practice of this firm for collection and processing of correspondence by Federal Express. Pursuant to this practice, correspondence would be deposited in the Federal Express box located at 401 West A Street, San Diego, California 92101, in the ordinary course of business on the date of this declaration.

4. \_\_\_\_\_ By transmitting the document(s) via facsimile on the date of this declaration to only those persons as indicated below and that the transmission was reported as complete and without error. The phone number of the transmitting facsimile machine is (619) 231-6710.

5. ☒ By transmitting the document(s) via Notice of Electronic Filing through CM/ECF on the date of this declaration to those persons as indicated below.

The addressee(s) is (are) as follows:

Frederick S. Berretta, Esq.  
KNOBBE MARTENS OLSON & BEAR, LLP  
550 West C Street, Suite 1200  
San Diego, CA 92101  
Email: [fberretta@kmob.com](mailto:fberretta@kmob.com)

I declare that I am member of the bar of this court at whose direction the service was made.  
Executed on October 9, 2007.

s/John H. L'Estrange, Jr.  
E-mail: [jlestrange@wllawsd.com](mailto:jlestrange@wllawsd.com)